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CLERK IDAHO

Attorneys for Trustee, Bernie R. Rakozy

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF IDAHO

In Re:

AUTOMATED STRUCTURES, INC.,  
82-0492850

Debtor.

Case No. 96-03201

AFFIDAVIT OF JERRY SMITH  
IN SUPPORT OF MOTION FOR  
APPROVAL OF COMPROMISE

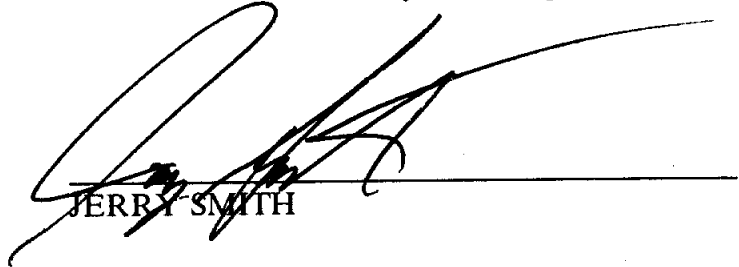
STATE OF IDAHO            )  
                                  ) ss.  
County of Ada             )

JERRY SMITH, having been first duly sworn upon oath, deposes and says as follows:

1. I am the former President of the above Debtor and also the former President of the related corporation of Monterey Homes, Inc. I have personal knowledge of the facts stated herein.

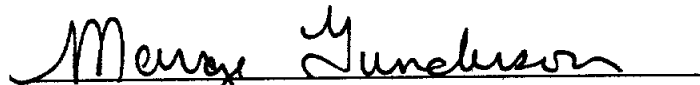
2. In regards to the account receivable of the Debtor from Dougal Construction arising out of construction on Lot 25, Block 5, Silverwood Subdivision, the Debtor provided prefabricated walls to Dougal Construction, who was the General Contractor on the home. The price to Dougal Construction included the costs of materials which were purchased

from Franklin Building Supply in the name of Monterey Homes, Inc. The materials were purchased in the name of Monterey Homes because ASI did not have an account with Franklin Building Supply at that time. However, the materials from Franklin represented by the attached Claim of Lien were the same materials which were sold by the Debtor to Dougal Construction for which neither the Debtor or Monterey Homes paid Franklin Building Supply.

  
JERRY SMITH

SUBSCRIBED AND SWORN to before me this 29 day of May, 1997.

(SEAL)

  
Notary Public for Idaho  
Residing at Boise, Idaho  
My Commission Expires 11-27-98

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 29 day of May, 1997, a true and correct copy of the foregoing document was served by first-class mail, postage prepaid, and addressed to; by fax transmission to; by overnight delivery to; or by personally delivering to or leaving with a person in charge of the office as indicated below:

Automated Structures, Inc.  
5903 E. Powerline Road  
Nampa, ID 83687

☒ U.S. Mail  
☐ FAX  
☐ Overnight Delivery  
☐ Hand Delivery

Harold Q. Noack, Jr.  
Attorney at Law  
733 N. 7th St.  
P.O. Box 875  
Boise, ID 83701

☒ U.S. Mail  
☐ FAX  
☐ Overnight Delivery  
☐ Hand Delivery

Bernie R. Rakozy, Trustee  
P. O. Box 1738  
Boise, ID 83701

☒ U.S. Mail  
☐ FAX  
☐ Overnight Delivery  
☐ Hand Delivery

U.S. Trustee  
P. O. Box 110  
Boise, ID 83701

☒ U.S. Mail  
☐ FAX  
☐ Overnight Delivery  
☐ Hand Delivery

Dougal Construction  
3175 Sweetwater Dr.  
Boise, Idaho 83716

☒ U.S. Mail  
☐ FAX  
☐ Overnight Delivery  
☐ Hand Delivery

  
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Jed W. Manwaring